

Exhibit F - Referral Responses



COUNTY OF SAN LUIS OBISPO Department of Agriculture/Weights and Measures

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DATE: May 31, 2011

TO: Brian Pedrotti, Planning Department

FROM: Mike Isensee, Agriculture Department

SUBJECT: Vanderheyden General Plan Amendment Authorization LRP2010-00006
(Ag Dept # 1567)

Summary

Thank you for the opportunity to review and comment on the proposed General Plan Amendment. Based on existing information, the proposal is not opposed by the Agriculture Department. However, approval of the conversion of Agriculture-designated land should meet a series of findings outlined in the County Agriculture Element policy 24. Preliminary evaluation of the Vanderheyden General Plan Amendment raises questions regarding the feasibility of agricultural production on the project site, and also raises questions about whether the findings to convert the site to a Rural Residential designation is supportable based upon county policy.

The following report is in response to your request for comments on the proposed general plan amendment. The comments and recommendations in our report are based on county's relevant agricultural policies, current departmental goals to conserve agriculture resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture, and the requirements of the California Environmental Quality Act (CEQA).

If I can be of further assistance, please contact me at 781-5753.

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Project Description

The applicant is requesting to change the land use designation on an approximately 22 acre property from Agriculture to Residential Rural. The project site is located along the southeast corner of the City of San Luis Obispo. The area consists of smaller parcels abutting the urban reserve line of the City. Adjoining City lands to the west-northwest are zoned Residential Single Family (R-1), while properties in the County's jurisdiction are designated Agriculture (AG) to the east and south, Rural Lands (RL) to the north, and Residential Suburban (RS) to the west-southwest. Several parcels in the vicinity are designated Residential Rural (RR). Immediately adjoining Agriculture designated lands are sized approximately 20 and 40 acres, while adjoining Rural Lands are 5 and 17 acres in size.

The applicant is requesting the approval of the general plan amendment which would designate the property Residential Rural (RR) and would allow the property to be divided into two sellable residential properties.

Agricultural Setting

On lands designated Agriculture within an area extending more than 1 mile around the property, typical agricultural operations are limited to grazing due to the limited underlying water resources in this area. It is common for smaller parcels in areas with limited groundwater to be used solely for the production of livestock. As a small agricultural parcel, any livestock use would essentially function as a hobby rather than a production agricultural use. The use of parcels in this size would not be considered sustainable for agricultural production, but such parcels are frequently retained in the Agriculture category to limit development which could further reduce groundwater levels or lead to incompatibilities between agricultural and non-agricultural uses.

Similar to other gently sloping properties in this area, the entire project site consists of Important Agricultural Soils as defined and mapped by the county's Conservation Element. Specifically, the soil found on the project site is Coastal soil unit 163, *Los Osos-Diablo complex*, 9-15% slopes, which is listed as one of the county's *Other* important soils and *Highly productive rangeland* soils. This soil has a good California Revised Storie Index Rating and is capability class 3 with or without irrigation, making it one of the least restricted non-irrigated soils in the county.

B. Evaluation of Policy Consistency and Potential Impacts

The Agriculture Department has reviewed the proposed project for consistency with the agricultural policies in the Agriculture Element and potential impacts to agricultural resources. Proposals that are not consistent with Agriculture Element policies or that may result in adverse impacts to agricultural resources are not supportable.

AGP11: Agricultural Water Supplies – While the property is encumbered with legal restrictions on the use of water, as a matter of policy the Department is primarily interested in how the use of limited water by non-agricultural users potentially impacts agricultural users with the watershed and/or groundwater basin. This entire drainage area, which ultimately becomes Davenport Creek, is considered a limited water resource area but continues to include hundreds of acres of productive agricultural lands. To the degree continued upstream development decreases recharge throughout the basin, development has the potential to adversely impact downstream agricultural resources.

AGP17: Agricultural Buffers – Agricultural buffers are recommended for both existing and potential production agricultural uses when located near proposed non-agricultural uses. As stated previously, the surrounding parcels are of a size that would not support production agriculture. Therefore, buffers are not recommended.

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AGP24: Conversion of Agricultural Lands – The goal of AGP24 is to protect agricultural resources and discourage the conversion of agricultural lands to non-agricultural uses. The policy specifically states to “Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.

Several criteria have been developed to establish consistency with this goal as discussed below.

- *Do not expand existing urban...areas until such areas are largely built-out, or until such time as additional land is needed to accommodate necessary uses or services that cannot be accommodated within the existing urban...area.*
Should the proposed residential designation be located within the city’s urban area? Will the proposed conversion increase the pressure to convert adjacent agricultural land to a rural residential land use pattern or other nonagricultural uses?
- *The land does not meet the criteria for inclusion in the Agriculture land use category as agriculture production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses.*
The proposal would result in the conversion of a 22-acre site consisting of capable soils restricted to residential uses. These soils can support a limited “hobby” livestock operation within the existing parcel size. Agricultural uses on small parcels have become an increasingly common occurrence and county policy (AGP4) supports agricultural uses on smaller agricultural parcels.
- *Conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture.*
The potential for offsite incompatibilities associated with the proposal is not anticipated because of the limited agricultural potential of surrounding agricultural land. However, the proposal does raise the question of will this land use change set a precedent for further land use conversion from agriculture in the area that may have an adverse impact?